

LAW OFFICES
REDDY, BEGLEY & McCORMICK
SUITE 350
1001 22ND STREET, N.W.
WASHINGTON, D.C. 20037-1803

DENNIS F. BEGLEY
MATTHEW H. McCORMICK

(202) 659-5700

EDWARD B. REDDY
(1915-1990)

FACSIMILE NUMBER
(202) 659-5711

June 5, 1996

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: Petition for Rule Making
Bible Baptist Church

Dear Mr. Caton:

Transmitted herewith on behalf of Bible Baptist Church is a Petition for a new noncommercial educational FM allocation at Lupton, Michigan.

DOCKET FILE COPY ORIGINAL

Should any questions arise in connection with this matter, please communicate directly with this office.

Very truly yours,



DENNIS F. BEGLEY
Counsel for
BIBLE BAPTIST CHURCH

DFB/prm

cc: Kathleen Scheuerle

COY
MMB

May 10, 1996

Attention: Policy & Rules Division - Allocation Branch

The following information is hereby giving for petition of a new commercial channel FM allotment to be used by an educational non-commercial station.

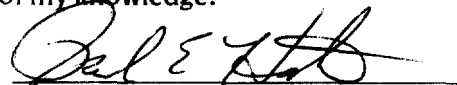
City: Lupton
State: Michigan
Channel: 272
Class: A
Use: Non-Commercial Educational

Statement of Engineering:

1. A study in the reserved educational channels has been performed and only one (1) channel has been determined not to interfere with other FM stations in the area, Enclosure (1). The location, however, was within the distance designated in Part 73.525 (a) (1). A waiver agreement to TV-6 was petitioned to them. This was not acceptable by TV-6 see Enclosure (2). The desired station could not comply with Part 73-525. A request was sent to TV channel 6 asking them to further amplify their position on educational stations attempting to operate in the Northern Michigan area. A Channel 6 representative encouraged the use of a commercial channel due to the small number of available educational channels and the presence of TV-6 in Northern Michigan. See Enclosure (3).
2. Part 73202 indicates that no allocation for Lupton, MI. has been established.
3. A study of the availability of a commercial channel for Lupton, Michigan was performed and a channel does comply with Part 73.207 (b) (1), and (2), 73.208 (a) (1) (i). See Enclosure (4).
4. As determined above, there are no educational channels in Lupton for use.


Statement of True Facts:

The facts contained herein are true to the best of my knowledge.


Dr. Paul E. Heaton

Statement of Agreement to File:

If the allocation is granted, I will file for the channel once notified by the Federal Communications Commission.


Dr. Paul E. Heaton

Constraints Study FM Channel 209A

Title: lupton
 Reference City: LUPTON, MI
 Translators Are Not Included
 Audit File: fms09075.A01

Latitude: 44-25-58
 Longitude: 84-00-33
 FCC Database: 950815
 ERP: 6.0 kW; HAAT: 100.0 m

Call	Auth	Licensee Name	Chan	ERP-kW	Latitude	Az-to	Dist	Req
City of License	St	FCC File No.	Freq	EAH-m	Longitude	-from	(km)	(km)

VACANT			*206B		43-37-14	171.1	91.34	55
Bay City	MI		89.1		83-50-01	351.2	36.39	CLEAR
Proposed F(50,50)	100.0 dBu =	2.75 km; record	F(50,50)	60.0 dBu =	52.20 km			
Proposed F(50,50)	60.0 dBu =	28.29 km; record	F(50,50)	100.0 dBu =	5.96 km			

ERP and EAH assumed to be max values per FCC 73.211
 Canadian concurrence received; channel reserved for future use.

WTRK LIC	Beyond The Bay Media	*206A	2.0	43-35-04	172.7	95.02	30	
Bay City	MI BLED-930810KA	89.1	100	83-51-36	352.8	64.70	CLEAR	
Proposed F(50,50)	100.0 dBu =	2.75 km; WTRK	F(50,50)	60.0 dBu =	22.06 km			
Proposed F(50,50)	60.0 dBu =	28.29 km; WTRK	F(50,50)	100.0 dBu =	2.02 km			

WCMUFM LIC	Central Michigan Univ	*208C1	100.	43-34-24	212.8	113.43	113	
Mount Pleasant	MI BLED-1085	89.5	128	84-46-21	32.3	0.28	CLOSE	
Proposed F(50,10)	54.0 dBu =	43.74 km; WCMUFM	F(50,50)	60.0 dBu =	55.40 km			
Proposed F(50,50)	60.0 dBu =	28.29 km; WCMUFM	F(50,10)	54.0 dBu =	84.86 km			

WLJNFM LIC	Good News Media, Inc.	*210C2	12.5	44-46-36	286.9	136.67	91	
Traverse City	MI BLED-931126KA	89.9	169	85-39-43	105.7	45.92	CLEAR	
Proposed F(50,10)	54.0 dBu =	43.74 km; WLJNFM	F(50,50)	60.0 dBu =	42.29 km			
Proposed F(50,50)	60.0 dBu =	28.29 km; WLJNFM	F(50,10)	54.0 dBu =	62.45 km			

WUCXFM LIC	Central Michigan Univ	*211C2	30.0	43-33-10	165.3	101.07	56	
Bay City	MI BLED-891010KB	90.1	146	83-41-24	345.5	44.90	CLEAR	
Proposed F(50,50)	80.0 dBu =	9.10 km; WUCXFM	F(50,50)	60.0 dBu =	47.07 km			
Proposed F(50,50)	60.0 dBu =	28.29 km; WUCXFM	F(50,50)	80.0 dBu =	16.50 km			

USED		262C1		44-43-15	316.8	44.06	22	
Grayling	MI	100.3		84-23-25	136.6	22.06	CLEAR	

Proposed to Canada as Class C1 950126-Specially Negotiated Short-Spaced Allotment
 Reserved for WQON per One-Step Application BMPH-941031IC

WGRYFM CP	Gannon Broadcasting S	262C1	60.0	44-34-15	286.1	56.47	22	
Grayling	MI BPH-941031IC	100.3	131	84-41-33	105.6	34.47	CLEAR	

One-Step Application From Channel 262C2
 Proposed to Canada as Class C1 950126-Specially Negotiated Short-Spaced Allotment-Accepted by Canada 950331

Constraints Study FM Channel 209A

Title: lupton
 Reference City: LUPTON, MI
 Translators Are Not Included
 Audit File: fms09075.A01

Latitude: 44-25-58
 Longitude: 84-00-33
 FCC Database: 950815

Call	Auth	Licensee Name	Chan	ERP-kW	Latitude	Az-to	Dist	Req
City of License	St	FCC File No.	Freq	EAH-m	Longitude	-from	(km)	(km)

WGRYFM	LIC	Gannon Broadcasting S	262C2	26.5	44-34-15	286.1	56.47	15
Grayling	MI	BLH-941021KC	100.3	131	84-41-33	105.6	41.47	CLEAR
From Channel 261A Per D87-182-*To Channel 262C1 per One-Step Application								
BMPH-941031IC								
Proposed to Canada as Class C1 950126-Specially Negotiated Short-Spaced Allotment								

End of Constraints Study FM Channel 209A



September 8, 1995

Sent Via Fax
AARCOM
Newport, NC

Dear Sir:

Your consulting firm represents a client who wishes to file a construction permit application for channel 209A in Lupton Michigan. The proposed operation is located 79 Km from our WCML TV, channel six, licensed to Central Michigan University. Section 73.525 of the commissions rules provides protection to a channel six licensee for 196 Km. from a proposed operation on channel 209. Central Michigan University does not waive protection from interference offered by section 73.525.

A portion of the WCML TV operating and construction costs were funded by donations from viewers who would be adversely effected by the operation of your clients proposed FM Station. Central Michigan University can not deprive these viewers of their sole source for Public Broadcasting.

Respectfully;

Randy Kapenga
Director of Technical Service

RK:cs

CENTRAL MICHIGAN UNIVERSITY



January 30, 1996

Pastor P. Heaton
Bible Baptist Church
3338 Main Street
Lupton, MI 48635

Dear Pastor Heaton:

David W. Robinson asked for a letter stating the Central Michigan University position on the use of commercial FM Broadcast channels for educational licensing. The reserved, educational, spectrum contains only 20 channels and is directly adjacent to TV broadcast channel six. The small number of available channels and the presence of television channel six in northern Michigan mandate a request to the Federal Communication Commission for the allocation of a commercial channel for educational use.

The University is currently operating two commercial FM channels, in northern Michigan, with educational licenses. We would encourage your pursuit of this solution to your broadcast needs.

Respectfully yours,


Randy Kapenga
Director of Technical Services
Public Broadcasting Network

RGK:cs

CENTRAL MICHIGAN UNIVERSITY

Printing study: LUP.ST3

Station: LUPTON LUPTON

Channel: 272 Class: A

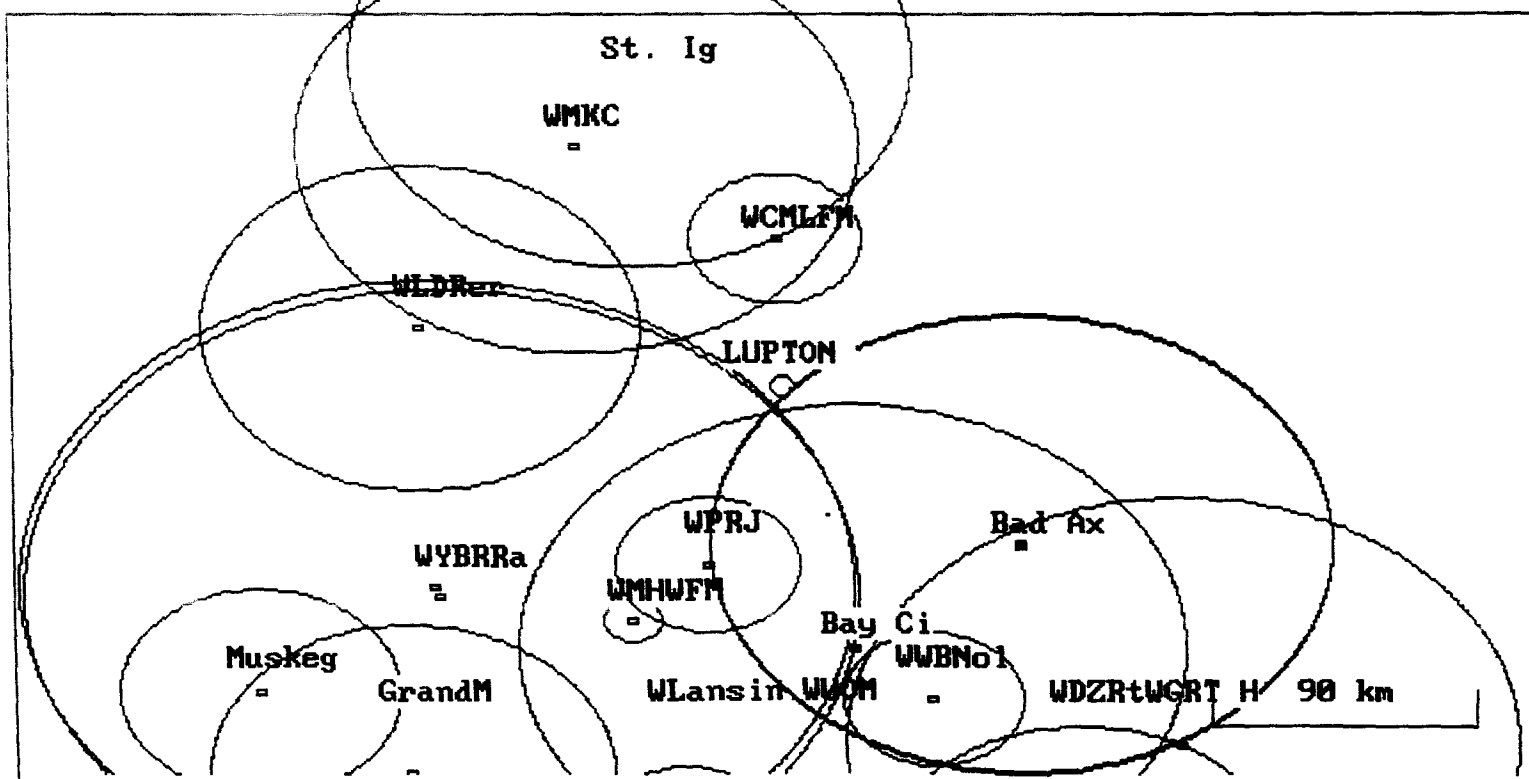
Station	Location		Bearing (degrees)	Distance (km)	Req'd (km)	OK/Short
Hollan	Holland	272 A	173.55	325.32	115	OK
WPOSFM	Holland	272 A	173.55	325.32	115	OK
W269AD	Sheboygan, etc.	269 A	254.22	303.37	31	OK
WGBW	Green Bay	218 A	267.64	305.82	10	OK
Manito	Manitowoc	272 A	261.08	284.5	115	OK
WQTCFM	Manitowoc	272 A	261.84	281.04	115	OK
WSHS	Sheboygan	219 A	254.73	297.6	10	OK
W218AG	Escanaba	218 A	301.59	264.91	10	OK
WMHWFM	Mount Pleasant	218 A	205.43	116.67	10	OK
WCMLFM	Alpena	219 C	359.25	66.9	29	OK
WUOM	Ann Arbor	219 B	175.31	237.35	15	OK
WPRJ	Coleman	269 A	197.4	84.36	31	OK
WHZZ	Lansing	269 A	189.18	204.21	31	OK
Lansin	Lansing	269 A	187.85	208.59	31	OK
WMRR	Muskegon Heights	269 B1	232.09	224.34	48	OK
Muskeg	Muskegon Heights	269 B1	232.08	224.23	48	OK
Tuscol	Tuscola	269 A	159.55	149.99	31	OK
WWBN	Tuscola	269 A	159.55	149.99	31	OK
WWBN	Tuscola	269 A	159.55	149.99	31	OK
WDETFM	Detroit	270 B	159.74	258.18	69	OK
Detroi	Detroit	270 B	159.73	257.49	69	OK
WDETFM	Detroit	270 B	159.73	257.49	69	OK
Traver	Traverse City	270 C1	282.58	125.2	75	OK
WLDR	Traverse City	270 C1	282.58	125.2	75	OK
WLEWFM	Bad Axe	271 C2	130.85	108.99	106	Close
Bad Ax	Bad Axe	271 C2	130.61	108.26	106	Close
WMUK	Kalamazoo	271 B	205.79	260.54	113	OK
Kalama	Kalamazoo	271 B	205.79	260.54	113	OK
Big Ra	Big Rapids	272 C3	232.62	147.56	142	OK
WYBR	Big Rapids	272 C3	230.81	148.64	142	OK
Port H	Port Huron	272 A	139.99	211.34	115	OK
WGRT	Port Huron	272 A	139.99	211.34	115	OK
WIOG	Bay City	273 B	168.16	120.63	113	OK
WIOG	Bay City	273 B	168.16	120.63	113	OK
Bay Ci	Bay City	273 B	168.16	120.63	113	OK
Hudson	Hudson	273 A	185.97	296.17	72	OK
WMXE	Hudson	273 A	185.97	296.17	72	OK
Mount	Mount Clemens	274 B	155.13	243.24	69	OK
WDZR	Mount Clemens	274 B	155.13	243.24	69	OK
WIQBFM	Ann Arbor	275 B	173.64	255.38	69	OK
Ann Ar	Ann Arbor	275 B	172.09	254.01	69	OK
WFURFM	Grand Rapids	275 B	215.77	215.52	69	OK
Grand	Grand Rapids	275 B	215.77	215.52	69	OK
WMKC	St. Ignace	275 C	327.61	127.72	95	OK
St. Ig	St. Ignace	275 C	341.68	156.25	95	OK

Study for: LUPTON LUPTON

< 250 km

Study Name: LUP.ST3

Study for: LUPTON , LUPTON



Printing study: CANADA.ST3

Station: LUPTON LUPTON

Channel: 272 Class: B1

Station	Location		Bearing (degrees)	Distance (km)	Req'd (km)	OK/Short
CKNXFM	Wingham	269 C1	100.91	240.06	92	OK
Elliot	Elliot Lake	269 B	29.56	238.07	71	OK
CJAMFM	Windsor	218 A	160.2	262.91	16	OK
CKDKFM	Woodstock	272 B	119.17	315.52	223	OK
CKDKFM	Woodstock	272 B	119.17	315.52	223	OK
CKDKFM	Woodstock	272 B	119.17	315.52	223	OK
Exeter	Exeter	219 A	120.73	251.73	16	OK
Elliot	Elliot Lake	273 A	29.58	238.31	113	OK
Elliot	Elliot Lake	273 A	29.56	238.07	113	OK
Woodst	Woodstock	273 A	119.17	315.52	113	OK
CJAMFM	Windsor	218 A	160.2	262.91	16	OK
Blind	Blind River	271 A	26.19	204.09	113	OK
Owen S	Owen Sound	274 C1	83.73	258.65	106	OK
CJAMFM	Windsor	218 A	160.2	262.91	16	OK
Blind	Blind River	271 A	26.19	204.09	113	OK
C218LP	Walpole Island	218 A	147.58	254.41	16	OK

Study for: LUPTON LUPTON

< 300 km

Study Name: ONTARIO.ST3

Study for: LUPTON , LUPTON

